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SENATE BILL 53

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Leonard Lee Rawson

AN ACT

RELATING TO MUNICIPALITIES; PROHIBITING MUNICIPALITIES FROM
ERECTING AND MAINTAINING CERTAIN SPEED CONTROL DEVICES UPON
STREETS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-49-1 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-50-1, as amended) is amended to read:

"3-49-1. STREETS--SIDEWALKS--CURBS AND GUTTERS--PUBLIC
GROUNDS. --

A. A municipality may lay out, establish, open,
vacate, alter, repair, widen, extend, grade, pave or otherwise
improve streets, including but not necessarily limited to
median and divider strips, parkways and boulevards, alleys,
avenues, sidewalks, curbs, gutters and public grounds, and may:

[A-] (1) regulate their use and use of

underscored material = new
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1 structures under them;

2 [B-] (2) prohibit and remove encroachments or
3 obstructions on them;

4 [C-] (3) provide for their lighting, cleaning,
5 beautification, landscaping and maintenance;

6 [D-] (4) regulate their opening or repair;

7 [E-] (5) require the owner or occupant of any
8 premise to keep the sidewalk along the premise free from any
9 snow or other obstruction;

10 [F-] (6) regulate and prohibit the throwing or
11 depositing of any offensive matter on them;

12 [G-] (7) prohibit injury to them;

13 [H-] (8) provide for and regulate crosswalks,
14 curbs and gutters;

15 [I-] (9) regulate and prohibit their use for
16 signs, sign posts, awnings, awning posts, telegraph poles,
17 horse troughs, posting handbills and advertisements;

18 [J-] (10) regulate and prohibit the exhibition
19 or carrying of banners, placards, advertisements or handbills
20 in the streets or upon the sidewalks;

21 [K-] (11) regulate and prohibit the flying of
22 banners, flags or signs across the streets or from houses;

23 [L-] (12) regulate traffic and sales upon
24 streets, sidewalks and public places;

25 [M-] (13) regulate the numbering of lots and

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[bracketed material] = delete

1 houses;

2 [N-] (14) name and change the name of any
3 street, alley, avenue or other public place; and

4 [Ø-] (15) with the written consent of the
5 owner, regulate the speed and traffic conditions on private
6 property.

7 B. A municipality shall not erect or maintain
8 artificial rises, including speed bumps and speed humps, that
9 reduce the speed of vehicles below the speed limit upon
10 streets. For the purposes of this section:

11 (1) "speed bump" means a traffic barrier or
12 restraint that rises at least three inches from the street
13 surface and is at least one foot in length; and

14 (2) "speed hump" means a traffic barrier or
15 restraint that rises between one and three inches above the
16 street surface and is at least one foot in length."